

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

FINAL ORDER OF FORFEITURE

WHEREAS, on June 17, 2010, this Court entered a Preliminary Order of Forfeiture (Doc. #94), forfeiting the following property to the United States: a Ruger, model P89, 9 caliber pistol, bearing serial number 314-77379 and 12 rounds of assorted 9 caliber ammunition¹.

WHEREAS, publication of notice was not required pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims as the property is of *de minimis* value and publication would exceed the property's value; and,

WHEREAS, the Court finds that defendant Rasheen Jahmal Smith has an interest in the property that is subject to forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c). The United States has established the requisite nexus between such property in the commission of the violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 844(a).

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The United States of America's Motion for a Final Order of Forfeiture (Doc. # 117) is GRANTED and the following property is hereby forfeited to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c):

(a) a Ruger, model P89, 9 caliber pistol, bearing serial number 314-77379; and

¹There are 13 instead of 12 rounds of assorted 9 caliber ammunition to be forfeited.

(b) 13 rounds of assorted 9 caliber ammunition.

2. All right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States and shall be disposed of according to law;

3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and,

4. The Clerk of the Court shall forward two certified copies of this Order to the United States Attorney's Office.

SO ORDERED this the 2nd day of December, 2010.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE